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Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 264.00)

## Complete if Known

Application Number	10/626,234
Filing Date	July 24, 2003
First Named Inventor	Robert L. Sutherland
Examiner Name	Gary E. Elkins
Art Unit	3727
Attorney Docket No.	R029 1291 (7187CIP)

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 09-0528  
Deposit Account Name: Womble Carlyle Sandridge & Rice PLLC

The Director is authorized to: (check all that apply)

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## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below	Fee Paid
Total Claims	17	-20** =		X	
Independent Claims	6	-3** =	3	X 88	264.00
Multiple Dependent					

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 264.00)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Jeffery B. Arnold	Registration No. (Attorney/Agent)	39,540	Telephone	404-879-2433
Signature		Date	October 25, 2004		

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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**Robert L. Sutherland et al.**

Serial No. **10/626,234**

Filed: **July 24, 2003**

For: **Carton with Top Dispensing Feature**

Examiner: **Ling Siu Choi**

Art Unit: **3727**

**AMENDMENT AND RESPONSE**

In response to the outstanding Office Action mailed July 28, 2004, Applicants respectfully request reconsideration and further examination in view of the following amendment and remarks.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Abstract** begin on page 3 of this paper.

**Amendments to the Claims** are reflected in the Listing of Claims which begins on page 4 of this paper.

**Remarks** begin on page 15 of this paper.

**Conclusion** is on page 21 of this paper.

An **Appendix** including a replacement Abstract page is attached following page 20 of this paper.

10/28/2004 FFANAI2 00000045 090528 10626234

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I hereby certify that this correspondence is being deposited with the United States Postal Service First Class Mail addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on October 25, 2004.

  
Jenny Vicente